EXHIBIT F

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
---x
LLEWELLYN ANGELO WILLIAMS,

Plaintiff,

-against-

Index No.
13-CV-3315
(NSR)(JCM)
ECF CASE

THE CITY OF NEW ROCHELLE,
THE CITY OF NEW ROCHELLE POLICE DEPARTMENT,
SERGEANT DANIEL CONCA,
SERGEANT JOHN INZEO,
SERGEANT WILSON,
POLICE OFFICER ADAM CASTIGLIA,
POLICE OFFICER EDWARD SILLER,

Defendants.
---x

City Hall
515 North Avenue
New Rochelle, New York 10801
January 9, 2015
11:10 A.M.

EXAMINATION BEFORE TRIAL of LLEWELLYN ANGELO WILLIAMS, the Plaintiff herein, held at the above time and place, taken before Jayne McGinley, a Court Reporter and Notary Public within and for the State of New York, pursuant to Notice.

Douglass Reporting Company
445 Hamilton Avenue - Suite 1102
White Plains, New York 10601
(914) 426-2400

A P P E A R A N C E S:

RUSSELL B. SMITH, ESQ.
Attorney for Plaintiff
399 Knollwood Road, Suite 220
White Plains, New York 10603

MARK W. BLANCHARD, ESQ., Corporation Counsel
Attorney for Defendants
City Hall, 515 North Avenue
New Rochelle, New York 10801
BY: BRIAN J. POWERS, ESQ.,
Deputy Corporation Counsel

S T I P U L A T I O N S:

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the respective parties hereto, that this examination may be sworn to before any Notary Public.

IT IS FURTHER STIPULATED AND AGREED that the filing and certification of the said examination shall be waived.

IT IS FURTHER STIPULATED AND AGREED that all objections to questions, except as to the form of the question, shall be reserved for the time of trial.

L L E W E L L Y N A N G E L O W I L L I A M S, having been first duly sworn by Jayne McGinley, a Court Reporter and Notary Public of the State of New York, and stating his address as 22 Clinton Street, New Rochelle, New York 10801, was examined and testified as follows:

EXAMINATION BY
MR. POWERS:

Q Good morning, Mr. Williams. As you know, my name is Brian Powers. I'm one of the attorneys for the City of New Rochelle.

I'm here to ask you some questions today regarding the federal lawsuit that you brought against the City of New Rochelle and various members of its police department.

Let me go over some ground rules with you. I know you've been deposed before, but let me just go over them anyway.

Please let me ask my entire question before you begin answering, that way our court reporter here can take the whole question and the whole answer down without interruption.

Please make sure any answer you give is in verbal form as the court reporter can't take down if you're nodding your head or shrugging your shoulders.

If at any time you don't hear or understand my question, please let me know and we'll clear that situation up.

And if you need to take a break just let us know, we'll do that -- we're willing to do that as long as there's not a pending question.

Understand all that so far?

A Yes, I understand.

Q Okay. How long have you lived at 22 Clinton Avenue?

A 18, 20 years.

Q Okay. Do you own, rent, something else?

A I contribute.

Q Do you own 22 Clinton Avenue?

A No, I don't.

Q So you rent?

A Yes.

Q Do you live with anybody presently?

A I live in Maryland. I have a home in Maryland where I live.

Q And how long do you live there during

the year?

A I've just been living there for about four years now and I'm there three days a week, sometime four days a week, give or take.

Q So you're down there about half the year?

A Maybe a little bit more than half.

Q Are you employed in Maryland?

A No.

Q Do you live with anybody in New Rochelle?

A I live at 22 Clinton Avenue.

Q I understand that, but do you live with anybody?

A Oh, there's people in there, in the house.

Q Do you have a particular apartment?

A No. I have a room.

Q Any of the people that you live with there relatives?

A No.

Q How many other people live at 22 Clinton?

A Two others.

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Q And their names?

A Pamela Bording and Florence Henry.

Q Bording, B-O-R-D-I-N-G?

A Yes.

Q And Florence Henry?

A Uh-huh.

Q What's the address that you live in Maryland?

A 60 Upper Rock Circle, Rockville Maryland, Apartment 266.

Q I'm sorry, what town was that?

A Rockville, Maryland.

Q And do you live -- I'm sorry, do you own that place?

A No.

Q That's a rental?

A Uh-huh.

Q Yes?

A Yes.

Q Other than the Maryland address and 22 Clinton Avenue, have you lived anywhere else in the last five years?

A No.

Q In the last 10 years, have you filed

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for bankruptcy at all?

A No.

MR. POWERS: Okay. Off the record.

(Whereupon, an off the record discussion took place.)

Q Sir, what's your date of birth?

A XX/XX/XX.

Q And your Social Security number?

A XXX-XX-XXXX.

MR. POWERS: Okay. Off the record again.

(Whereupon, an off the record discussion took place.)

Q Where were you born, sir?

A Pleasantville.

Q New York?

A Yeah. I was born in Valhalla at the hospital, but I believe they -- it's Pleasantville where they keep my birth certificate.

Q Okay. The Social Security number that you gave me, have you used any other Social Security number ever?

A Not that I can recall, no.

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Q Have you ever gone by any other name other than Llewellyn Angelo Williams?

A I've always gone by Angelo Williams.

Q Okay. Any other names or aliases that you go by?

A No.

Q How tall are you?

A About 5-11 and a half, between 11 and 11 and a half.

Q How much do you weigh these days?

A I weigh about 194 or five pounds.

Q Ever been married?

A I'm married now.

Q And your wife's name?

A Sharon Williams.

Q And where does Sharon live?

A Same, the 60 Upper Rock Circle, Rockville, Maryland, Apartment 266.

Q And how long have you been married?

A Since October 13th, last year.

Q 2014?

A Uh-huh.

Q Yes. Do you have any children?

A No.

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Q But they were using your name?
A They use ABC Towing name.
Q Well, when they booted on a property, did they use ABC Towing or did they use Avalon Towing?
A They did both.
Q Okay. And when they use Avalon Towing, they did it with your permission?
A When they use Avalon Towing, but they -- but they -- I believe when they booted on some of my properties they called it in as ABC Towing, which the guy was allowed to, again, operate for eight, nine months and it didn't seem fit that they wouldn't let me do it even though they never paid a dime that I paid.
Q Let me ask you this, Mr. Williams --
A I paid out and they wouldn't let me work.
Q -- your permit in 2014, when did that expire?
A Huh?
Q When did the permit expire in 2014; October?
A October, yes.

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Q Okay. And when was your permit renewed?

A October 3rd.

Q And when was your permit renewed?

A Well, when was it renewed?

Q Yes.

A Well, I applied for it.

Q That's not my question, Mr. Williams. When was it actually approved and renewed?

A I don't know. Maybe three weeks, a month later.

Q Okay. And during that three weeks you continued to boot without a permit; correct?

A No, I didn't.

Q Did you boot at all?

A I booted when they -- at the beginning when they called me and said, hey, you need a permit, I said okay. I went back down there to pay for my permit and they have all my paperwork and they told me I have to wait to go through the process and they actually -- waiting to go through the process and I had to wait and it happened to me already the first time where they don't know where the paperwork was at. I assumed that they find it in a safe like

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Q And tax. But other than $45 plus tax, do you charge more?

A No.

Q Do you advertise that you charge more?

A What do you mean by that?

Q Any of your signs that are up, do they say that it's more than $45 to boot?

A Some -- some of the old signs that was $65, that was the price that was there years ago that was originally $65 until New Rochelle changed the laws. There could be a lot of signs -- some signs that I'm not active on and I just -- the signs are still there, but I just charge 48.75.

MR. POWERS: Mark that, please.

(Whereupon, a color copy of a photograph was received and marked as Defendant's Exhibit D, for identification, as of this date.)

Q Mr. Williams, let me show you, and I represent to you that this is from the side of the CVS building at 625 North Avenue, is that your sign?

A That is my sign.

radio calling the police department looking for something to arrest me, but they couldn't.

So then after about 40 minutes, an hour, he then said, well, I'm gonna write you a city code if you don't take the boot off and I said go ahead and write me a city code. And then they went about another 20 minutes to see if they're gonna write a city code and they just found out that they couldn't write me a city code. So they said, well, don't boot no more cars because that sign is not where it's supposed to be. And I told the police officers, here we go again with the harassment, favoritism with Safeway, my sign that is -- that's posted is right on top of Safeway sign. And Safeway was there for six years before I got the contract and never did Safeway get issued or -- or CVS get threatened that they will get this -- that they would get a -- a -- a -- a city code or told -- they were threatened, CVS. They said they're gonna write a city code if the sign is not put closer to the street. But when I got the property, here come the harassment, because Safeway monopolized all of -- 95 percent of private property.

MR. POWERS: Move to strike

there before me. They never harassed Safeway. They never threatened to write them city codes. As soon as I put my sign up, this is what happened, New Rochelle Police Department lost the security contract from McDonald's and started harassing me with the signs at McDonald's.

MR. POWERS: Move to strike the unresponsive parts to that last answer.

Q My question is, did you file a civilian complaint with the New Rochelle Police Department from this incident?

A I went to them and complained -- and verbally told the police department, one of the sergeants that -- when I came in there, and that's what I told him what happened. I also called and told Lieutenant Marshall on the phone and -- three or four times I called him and said this got to stop. This continued to happen as soon as they see me making a dollar, they start harassing me.

Q So you didn't file a written compliant, did you?

A I believe I went in there and verbally told them and they took it, the sergeant took it, so I went inside and I complained.

Q Did you ever get any result from your oral complaint?

A I never do. Never did. Never got results in the history of me being in New Rochelle with all of my complaints and what the police do to me. One officer -- one -- one just said -- took the -- one never looked at my report and cleared the officers until I said you had not seen my report because if you had to, you would have known -- talking about another situation, you would have known I didn't boot on the street. I booted on a private property and he admitted, I only looked at the -- you cleared the officer without even looking at the report, that's what the police officers do in New Rochelle.

MR. POWERS: Move to strike the unresponsive parts of that last answer.

Q Can you describe Officer Conca to me? What color is he?

A He's a white guy with dark, dark hair.

Q How old?

A About -- I don't know -- about -- about -- I don't know. I can't tell their age, you

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suffer any physical injuries?

A Just being -- just took me from my money from being booted. I just was robbed.

Q Did you seek any medical treatment from any health care professional for what happened this day?

A No.

Q Did you have any kind of written --

MR. SMITH: I don't want to interrupt, can we just take a couple of minutes?

MR. POWERS: Sure.

(Whereupon, an off the record discussion took place.)

(Whereupon, a short recess was taken by all parties.)

Q Okay. Mr. Williams, we were talking about the incident on March 2nd, 2013 at the location 466 Main Street.

Back at that time, did you have a written agreement for that property?

A No, I did not have a written agreement for that property. I had -- I had that property for years and before this new law came in effect all you had to do is have an agreement with the property owner to tow or boot off of their property.

Q Now, with respect to the booting that you did that day, you said the permit wasn't in the vehicle at the time you booted it?

A Correct.

Q And at some point the permit was put in the vehicle?

A Right.

Q By whom?

A By the owner. The permit was being used on his worker's car that came in on Saturday that don't have a permit and normally he would not be booted, but he brung a different car that day, that's how this all came about.

Q Did that particular -- withdrawn.

Who issued that permit, do you know?

A Stuart Polinsky, the owner of 466 Main Street.

Q And were those permits specific as to vehicles?

A Huh?

Q Were those permits specific as to

vehicles? For example, did those permits have a license plate number on them?

A No, but it has a number on it that -- it has a number on the permit that recognize who that person is, who owns that sticker.

Q So a particular permit could be used on any vehicle regardless of the plate number?

A Yeah. They could take -- yeah, if they -- we not looking at -- I don't look at the plate number, it's just the permit. So if I come in there and they don't have a permit, I'm gonna tow it or boot it. Now, they can take it off and put it on another car of theirs or let their friend use it, they're the one paying for it.

Q Do you remember telling the officer that you did not see the permit and that's why you placed the boot on the car?

A There was no permit. Not telling the officer -- there was no permit, that's why I put the boot on it.

Q But did you tell the officer that you did not see the permit and that's why you booted the car?

A Again, there was no permit on it so I

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didn't see a permit, so I booted it because there was no permit.

Q Okay. How long were the police there that day?

A Hour, hour and a half, two hours.

Q It wasn't less than a half hour?

A No.

Q Do you know who called the police?

A The owner, the owner of the -- the...

Q That car that was booted?

A The car, yes, it would be either the wife or the husband. I believe it was the wife that called the police. The husband and wife owned the -- the dentist, you know -- yeah, the dentist.

Q How many police cars arrived?

A Three. It was three or four.

Q Did they all leave at the same time?

A No. I think two of them stayed. They were just talking and whatever. After I took the boot off Inzeo left, and two of them was still in the parking lot. They were just talking and they talked to me about actually that's their boss, he's wrong, nothing they can do, that's their superiors, they elaborated for a while. Like I said, all police

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officers in New Rochelle is not bad, but you got rotten apples and that's who I -- instead of putting all of them down, I put the one that told them to do it on each of my problems, not all of them because all of them didn't do it.

Q So in this case it's Inzeo?

A It's Inzeo that ordered -- that was doing all of this was Inzeo. The other officers, I had no problem with. They were just following his orders. Same thing with Conca, he was orchestrating it, not the other officer.

Q What specifically did Inzeo say to you that day?

A If I don't take that boot off he's gonna lock me up.

Q Anything else?

A Take the boot off.

Q Anything else?

A He's gonna lock me up, so I took the boot off at some point. It took a while, but I took it off.

I called Lieutenant Marshall and -- it was on that phone, left him several messages about what he -- here they go again, same thing again, same in a private lot.

Q Did you have a contract to boot vehicles in that private lot?

A No, you don't have to because it was my mother's car. We put a wheel lock on it. We paid for the parking there.

Q Whose lot was it?

A Huh?

Q What was the lot to, to what building or --

A My brother pays for parking there. So I put a wheel lock on that because my moms died and everything was going -- got to go through Surrogate Court. And so I put the wheel lock on there so the car don't be moved and took the plate -- the plates off. And my brother's been -- had been paying, since my mother has died, for the space.

Q What was the address of the lot?

A I can't recall.

Q Did the police respond to 99 Union?

A The police came to my mother's where my mother lived and my brother was living then, to the apartment there.

Q Is that 99 Union?

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A 99 Union.

Q Is there an apartment number?

A Second floor. And -- but the car was across the street in a private lot that my brother paid for monthly.

Q Okay. And as far as that private lot, did you or Avalon Towing have a contract to boot in that lot?

A No, but I can boot my family's car. It wasn't booting to get paid off the car -- my own family car. It's to secure the car so it don't go nowhere, that's why it was booted, just to secure the car. I wasn't towing or booting, illegally booting cars. I can put a boot on my family's car so we can keep it safe.

Q When had you booted that vehicle; that day?

A Huh? That -- that night.

Q July 17th?

A Yeah.

Q And when had you removed the plates?

A That morning.

Q July 17th?

A Uh-huh.

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Q Where did you put the plates?

A I put them -- I don't know. In my car. I don't know.

Q Who called the police?

A My little brother.

Q What's his name?

A Kevin.

Q Same last name?

A Yup.

Q And why did he call the police?

A No, I don't think he called the police. I believe my sister called the police. I'm not sure who -- which because I wasn't there.

Q Would that be Felicia?

A Yeah, Felicia.

Q Okay. Well, had there been some kind of an argument before?

A There was no argument. Felicia came -- Felicia wanted to come, take the car. She don't have no paperwork. We had -- we went to Surrogate Court so we know she didn't have any paperwork, but the police officers opted out to make me take the boot off or they're gonna lock me up and let her drive off that car with no plates on it. And right

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now, as of today, we still haven't been to Surrogate Court so there's no way that she can get paperwork from the court and there's -- period, so it was illegally done and -- so now we don't -- once that happened, she drove off with the car and none of the family members has seen it since.

Q Did you tell the police that you had no information about the whereabouts of the plates?

A I don't know.

Q You don't remember telling them that?

A I don't remember.

Q So Officers Castiglia and Siller showed up?

A They're the one that made me take the boot off.

Q Did they show up together or in separate vehicles?

A When I came there, they was together. I don't know -- I wasn't there before them.

Q Where did you meet them?

A I came there.

Q The lot?

A I came to the -- I came to the house. My brother called me.

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Q Okay. So you met Castiglia and Siller in the apartment --

A At 99 Union Avenue.

Q -- in the apartment at 99 Union?

A Outside of the building. They never was upstairs in the apartment. I did not see them there.

Q Now, was it outside of Union or was it over across the street in the lot?

A It was right in front of 99 Union Avenue on the steps.

Q Okay. What happened then? Did either one of them speak to you?

A Well, they -- I can't remember what they said. If they said something to me, I can't remember. I just know that my sister was waving something and -- and I was telling them my moms passed away and there's no -- it's a family car. We got to go to Surrogate Court so no one's touching it and I had a boot on it to make sure of that. And my brother had been -- had been paying the payments for the car -- not to pay for the car but paying for the space, and that she had no rights to it and they didn't care.

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Once they seen it was me, they were more the merrier just to let her take the car to spite me, that's what happened. And -- and not only that, let her ride on off with no plates. Let her drive on out -- out the parking lot with no plates at all. I could not believe it.

Q Even though you knew where the plates were?

A I could not believe it. She had no right to it.

Q Even though you knew where the plates were?

A She had no right to it. She had no right and the police officers had no right making me take that boot off. It was a civil matter.

Q Did you hear any of the conversation that the police had with anybody that night?

A I did not see no paperwork to date.

Q That's not my question.

A Yes, I did.

Q I'm not asking what you saw. What did you hear?

A I heard them saying that she's showing her some -- showing them some paperwork, but

I went to Surrogate Court and nothing was filed. So she didn't have the proper paperwork that -- that would have gave them the right to let her take that car.

Q Is the Surrogate's Court matter still open?

A Huh?

Q Is the surrogate's matter still open?

A Yes.

Q In Westchester?

A In Westchester.

Q What was your mom's name?

A Alice Williams.

Q And when did she pass away?

A April 30th.

Q 2013?

A Yeah.

Q Were you injured at all from either of the police officers that day?

A Just again, just intimidated and shooken as usual.

Q Did either one of them touch you that day?

A No. They just scared me because who

wants to go to jail.

Q So there's no physical contact at all; correct?

A No. They just scared me, like I said. They scared me again.

Q Did they touch you?

A No, they didn't touch me, you know. They didn't touch me. They just -- they just threatened me with a gun, like, basically.

Q They threatened you with a gun?

A Yeah.

Q They took a gun out?

A What I mean, so make it clear, they're threatening me just like -- because you take the boot off or you go to jail.

Q You just said they threatened you with a gun. Did they take a gun out?

A They threatened me just -- I said just like they was -- had been -- it's just the same as them threatening me with a gun, they scare you, you go to jail if you don't take the boot off.

Q No. Your words were they threatened you with a gun, not like a gun, with a gun. Did they take a gun out?

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A You're -- counsel, you can say whatever you want to make up, I clarified it and I'm done with that subject.

Q Okay. So did they take a gun out that day?

A I'm done with the subject.

Q Did either officer --

MR. SMITH: Answer the question.

Q -- remove from their holster a gun?

A No. They just scared me. I thought they was...

Q Did any of them put their hand to their gun?

A I can't remember. New Rochelle Police Department has already attacked me once so they're capable of doing it again.

MR. POWERS: Move to strike the unresponsive parts of that last answer.

Q As a result of this incident, did you go and file any written civilian complaint?

A Yes, I did.

Q You did?

A Yes, I did.

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Q With whom?

A Huh?

Q With whom?

A Again, with the -- I guess a sergeant. It went to -- I went to the desk sergeant, whoever take the report and it was filed.

Q Did you sign any complaint?

A Yes, I did.

Q Were you ever contacted as a result of that complaint?

A Yes, I was.

Q By whom?

(Whereupon, the witness reviews documents.)

A By Sergeant Wilson.

Q Did he show up on the night of the incident?

A No.

Q When were you contacted by Sergeant Wilson?

A After I put in the report Sergeant Wilson called me and Sergeant Wilson told me that they didn't see no wrongdoing, that the officers had done no wrongdoing and his -- of his -- in his belief. He said the officers may have -- should have done it a better way, but I don't find any wrongdoing from the police and, Angelo, you know you cannot boot cars on -- on city -- on the street, you should know better. And that's when I told that officer, well, officer, you must -- you hadn't have read my complaint because if you had read my complaint, it clearly says I was on private property. And he said you're right, I only read the officers' complaint and never read mine, and that's why I filed the lawsuit on him, too.

Q And is that your only contact with Sergeant Wilson, was that phone call?

A That I filed because another -- again, this all plays into the whole thing of harassment and -- and just the police doing whatever they want and their -- and their superiors backing them.

Q So your only contact with Sergeant Wilson was this one phone call after you filed this civilian complaint; correct?

A Uh-huh.

Q Yes?

A Yes.

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Q What else did he say in that phone conversation?

A That was that. I said, well, you need to look at mine. Well -- he said, well, I'll take a look at it. He had already -- he had already cleared them from any wrongdoing without even looking at my complaint. That's the kind of officers you have down at this department.

MR. POWERS: Move to strike the unresponsive parts of that last answer.

Q How old is Kevin?

A I don't know. Kevin is about 27, twenty -- I can't recall. Maybe about 27. I don't know. He's got to be -- yeah, Kevin is about 30, I think. Yeah, he's 20 years younger than me or 19 years younger me. He's 30, either 31, 30.

Q Where does he live?

A 99 Union Avenue.

Q Where does Felicia live?

A In Virginia.

Q Where?

A Port -- Portsmouth, Virginia.

Q Do you know the address?

A No.

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-- because the -- the thing went out -- my -- then I had it for a year so it ended October -- it ended October 30th, that's what you was talking about, so I didn't boot from -- I think from August, sometime August to October 30th.

And I was told that it was going through the process, so it goes to the building department, it goes to the legal department, it goes to -- to the police department and maybe -- maybe five different entities, and I was saying, well, why is it taking so long, it doesn't take one, two, three days, it takes a week, three weeks, four weeks.

Q Well, part of it is on one of your applications you put down that you're using 22 Clinton as your towing location; correct?

A They have my address. As soon as they did that, I gave them a Mount Vernon address.

Q But you put that down on your application, that you were using your house as your towing yard; right?

A How you gonna argue with a application in a safe? Did you forget that? It was in a safe the whole time.

Q And then they told you that 22

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Clinton wasn't zoned for that?

A The application was in the safe with -- with this address that I have right now. This address here that I have was sitting in the safe right here. The address and this right here sat in a safe for all those months, just sat there.

Q So did anyone tell you that the code was changed to target you?

A They didn't have to.

Q You just knew?

A I'm a black man in New Rochelle and has been arrested. From the beginning, I'm not supposed to have these lots. You want me out of here. Safeway has monopolized everything and I'm in their way and you -- and the city is gonna make sure I get out their way any means necessary. I'm not supposed to be here. So I'm here and the other tow company is gone and I'm still here. I'm still a thorn.

Q So nobody has told you this, you're surmising all of this; right?

A Just like I got a -- just like I surmised when they wrote me a city code for a penny. I'm just crazy, but it's documented that I got a city